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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

ABDUL RAHMAN ABOOBAKER)
 MUNASSAR)
 Plaintiff,)
 vs.)
 HORIZON LINES, Inc.)
 Defendants.)

Case No.
 C 05-4350 JL

STIPULATION AND [proposed] ORDER TO
 EXTEND TIME TO COMPLETE EARLY
 NEUTRAL EVALUATION AND TO
 CONTINUE CASE MANAGEMENT
 CONFERENCE.

This matter involves a merchant seaman's claims for personal injury related damages.

This case is set for trial to commence on November 13, 2006.

The next case management conference is set for August 30, 2006.

The last day to complete ENE was August 11, 2006.

Plaintiff has just returned to California from his residence in Yemen.

Plaintiff's deposition is scheduled for August 29, 2006.

Plaintiff's present medical condition is precisely known to counsel for either party. An IME is scheduled for September 14, 2006.

1 Plaintiff has scheduled the depositions of the ship's Chief Mate and Chief
2 Engineer for September 5 and September 6, respectively. Plaintiff's expert has viewed
3 the scene of the alleged incident.

4 Counsel for both parties are cooperating in completing all of the above.

5 The Early Neutral Evaluator assigned to this action, John Hillsman, concurs in the
6 parties' request to continue the deadline to complete ENE,

7 Based on the above, the parties respectfully contend that there exists Good Cause
8 to continue the deadline for conducting an ENE from August 11, 2006 to September 29,
9 2006 and to continue the case management conference presently set for August 30, 2006
10 to October 11, 2006 that it would be in the interests of justice and judicial economy to do
11 so (F.R.Civ.P. 1).

12 The parties, by and through their respective attorneys of record authorized to do
13 so, hereby stipulate that this Honorable Court may enter its Order Extending the date to
14 complete ENE, and to continue the case management conference and the parties
15 respectfully request that this Honorable Court issue such an order.

16 DATED: August 25, 2006 SO STIPULATED,
17 s/ Arnold Berschler
18 Arnold I. Berschler, attorney for
19 ABDULRAHMAN ABOOBAKER MUNASSAR

20 DATED: August 25, 2006 SO STIPULATED,
21 s/ Harvey I. Wittenberg
22 Harvey I. Wittenberg attorney for
23 HORIZON LINES, INC.

24 ORDER EXTENDING THE DATE TO COMPLETE ENE

1 Upon review of the foregoing Stipulation and Good Cause and the interests of
2 justice otherwise appearing,

3 IT IS ORDERED THAT the deadline to compete the Early Neutral Evaluation in
4 the action is extended to September 29, 2006 and the case management conference is
5 rescheduled to October ¹⁸~~11~~, 2006.

6
7 DATED: 8-28-06

